

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SAMSON TUG AND BARGE CO., INC.,)	
)	
)	
Plaintiff/Appellant)	Case Number: A03-006 CV
)	Admiralty JWS
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant/Appellee)	

**JOINT STIPULATION OF PARTIES TO
MODIFY DISCOVERY DEADLINES,
WITH PROPOSED ORDER**

COME NOW the parties hereto and respectfully propose this stipulation and Order regarding discovery deadlines and factual matters. The facts relevant to the parties' claims and defenses involve the formation, performance and alleged breach of a maritime contract whereby Samson Tug & Barge Co., Inc. (Plaintiff) provided transportation by barge between the continental United States and the Naval Air Station/Facility at Adak, Alaska in the mid-1990s. The Adak base was closed in 1997. This lawsuit was filed in January of 2003. On August 8, 2006, the parties submitted a joint status report to the Court regarding progress made in the case to date and the willingness of the parties to pursue ADR.

In the August 2006 status report, the parties noted that additional depositions and document exchanges were scheduled to occur in the fall of 2006. Depositions and document exchanges did occur during the fall, but other depositions and document exchanges are still ongoing. Extensive document and videographic production is being concluded. It will be necessary to review these extensive productions, complete expert reports and schedule final depositions. In addition, given the passage of time from the underlying events giving rise to this matter, it will be necessary to set preservation depositions of witnesses who reside in other districts of the U.S. and overseas. The

modification of deadlines as previously set out in the Court's Orders would be appropriate, and would help narrow the issues for potential mediation and trial as necessary.

Accordingly, the parties are filing this Joint Stipulation and Proposed Order to set forth their request for a further adjustment of the discovery schedule and jointly request the Court's approval of the deadlines proposed herein.

THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

- (1) The close of discovery presently scheduled on April 13, 2007 shall be extended to July 27, 2007.
- (2) Defendant shall file any notice of additional experts by April 13, 2007.
- (3) The date for witness identification shall be extended from February 23, 2007 to April 20, 2007.
- (4) Plaintiff's experts shall file their reports by April 20, 2007, and Defendant's experts shall file their reports by June 8, 2007.
- (5) The last date for filing dispositive motions shall be extended to August 24, 2007.

Respectfully submitted,

Dated: February 23, 2007

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Dated: February 23, 2007

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Dated: February 23, 2007

/s/ Jeanne M. Franken

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